

VENEZUELA

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Jul 56	Territorial Sea Law	12nm	
	Aug 61			Became party to the 1958 Convention on the Territorial Sea and the Contiguous Zone.
II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Jul 56	Territorial Sea Law		Enabling legislation for straight baselines.
				U.S. protested claim in 1956.
	Jul 68	Presidential Decree		Established straight baselines.
				This claim is not recognized by the U.S. U.S. protested claim in 1989.
III. CONTIGUOUS ZONE	Jul 56	Territorial Sea Law	15nm	<p>Claimed jurisdiction "for purposes of maritime control and police, as well as for national security and protection of national interests."</p> <p>This claim to security jurisdiction is not recognized by the U.S. U.S. protested claim in 1989.</p>
IV. CONTINENTAL SHELF	Jul 56	Territorial Sea	1958 DEF	Authorized creation of safety zones around installations.
	Aug 61			Became party to 1958 Convention on the Continental Shelf, with a reservation.
V. FISHING ZONE/EEZ	Jul 56	Territorial Sea Law	12nm	Authority to establish non-exclusive fishery development and conservation zones.
	Jul 78	Law Establishing an Exclusive Economic Zone	200nm	EEZ: permission to conduct scientific research required; criteria for withholding consent address activities related to exploration/exploitation of resources; drilling or use of explosives; installations/devices; or those that unduly impede economic activity.
VII. MARITIME BOUNDARIES	Sep 42	Agreement		Continental shelf boundary agreement with Trinidad & Tobago (Gulf of Paria) EIF. Ceased to have effect July 1991 upon EIF of July 1991 Agreement.
	Dec 78	Agreement		Maritime boundary agreement with Netherlands Antilles and Aruba EIF.
	Nov 80	Agreement		Maritime boundary agreement with USA EIF (Puerto Rico and St. Croix).

TYPE	DATE	SOURCE	LIMITS	NOTES
VII. MARITIME BOUNDARIES (Cont.)	Jan 82	Agreement		Maritime boundary agreement with Dominican Republic EIF. Jan 83 Agreement Maritime boundary agreement with France (Guadeloupe and Martinique) EIF.
	Jul 91	Agreement		Agreement with Trinidad/Tobago EIF.
VIII. LOS CONVENTION	Apr 82			Voted against; did not sign.

b. DOMESTIC LEGISLATION AND REGULATIONS

1. STRAIGHT BASELINES

A. LEGISLATION. Following is the text of the Presidential Decree of 10 July 1968 (with explanatory note) establishing the Venezuelan straight baseline system:

Raul Leoni President of the Republic employing the attributions conferred on him by the National Constitution and in conformity with the Law of the Territorial Sea, Continental Shelf, Protection of Fishing and Air Space and with the Ratifying Law of the Convention of the Continental Shelf:

Considering that Article Two of the Law of the Territorial Sea, Continental Shelf, Protection of Fishing and Air Space and Article Four and following of the Ratifying Law of the Convention on the Continental Shelf wherein the places were the conditions of the Continental seaboard and islands require it to foresee the drawing of straight base lines from which the Territorial Sea is measured:

Considering that in various zones of the Venezuelan seaboard there exists geographic conditions requiring the initiation of the fixing of the said lines in sectors of the seaboard of the Republic, it is decreed:

Article One - the following straight base line is drawn in the sector of the Venezuelan seaboard embracing a point between the dividing line of the river Essequibo and Arguapiche Point in the Federal Territory Delta Amacuro from a point with the coordinates nine degrees, twenty seven minutes and thirty seconds of North Latitude and sixty degrees and fifty two minutes of West Longitude to another point with the coordinates eight degrees and twenty six minutes of North Latitude and fifty nine degrees, thirty four minutes and thirty seconds of West Longitude.

Article Two - the Territorial Sea and Contiguous Zone corresponding to Venezuela in the sector is measured from the straight base line where it has been drawn and from the low tide line in the remainder of its length with the exception contained in Article Four.

Article Three - the rights of Sovereignty of Venezuela over the territorial waters whose restoration is claimed from Guyana are expressly reserved, that is to say, the strip three miles wide along the coasts of the territory included between the mouth of the River Essequibo and the mouth of the River Guainia as well as the interior waters in the said zone defined by the straight base line drawn in the present decree.

Article Four - the straight base line at the mouth of the River Essequibo will be in accordance with that of the neighboring state.

Venezuelan Explanatory Note

This decree of the National Executive according to official information has the following significance: the territorial sea of Venezuela is twelve miles wide in accordance with Venezuelan law and that of Guyana only three miles, that is to say, the band three miles measured from the seaboard of the territory in dispute corresponding at the moment to Guyana and the adjoining band of nine miles considered as the high sea by the State of Guyana. For Venezuela, as a consequence of its claim, the said band is Venezuelan territory in which her Sovereignty may be exercised but before making any material act of possession Venezuela must make public her title of dominion to the said sea. Also Venezuela can do it on the basis of the treatise of the straight base line in the zone and in accordance with Venezuelan law and international conventions. In this way, the Venezuelan State will be able to take concrete steps of dominion in relation, for example, to the oil concessions that the State of Guyana have conceded in this zone.

B. ANALYSIS The following comments regarding the Venezuelan straight baseline system are extracted from Limits in the Seas, No. 21, "Straight Baselines: Venezuela," 11 June 1970:

The straight baseline extends 98.9 nautical miles and closes the delta of the Orinoco River. A Point, west of the middle of the line, is situated approximately 22 nautical miles from the nearest mainland. In contrast, the principal mouth of the Orinoco is over 30 nautical miles from the SBL. Point B has been selected approximately 26 miles east of Punta Playa, the coastal terminus of the current Guyana-Venezuela boundary. While Venezuela has laid claim to territory as far as the Essequibo River, Guyana rejects this claim (see International Boundary Study No. 21: British Guiana (Guyana) - Venezuela Boundary, March 14, 1963).

The straight baseline does not depart, to any appreciable degree, from the general trend of the mainland coast as determined by small-scale charts. The waters enclosed by the SBL do not meet the legal definition of a bay. Moreover, the eastern terminal point is situated approximately 50 nautical miles to the east of the eastern natural entrance point for the Orinoco system as well as being 26 nautical miles beyond the existing international boundary.

c. MARITIME BOUNDARIES

BOUNDARY DELIMITATION: NETHERLANDS ANTILLES AND VENEZUELA

Article 1

1. The maritime delimitations lines set out in this Treaty constitute the boundaries between the Contracting Parties in respect to their territorial waters, continental shelves, exclusive economic zones and all other maritime or submarine areas that have been or may be established by the Parties in accordance with international law.

Article 2

The maritime boundary lines between Venezuela and the Netherlands Antilles are as follows:

1. SECTOR A. Between the west of Aruba and Venezuelan territory

1.1. From point No. 3, latitude 12° 21' 00" N and longitude 70° 25' 00" W, the meridian 70° 25' 00" W to point No.2, latitude 12° 49' 00" N and longitude 70° 25' 00" W.

1.2. From said point No. 2, an arc of maximum circumference to point No. 1, latitude 15° 24' 48" N and longitude 69° 34' 38" W, or that point on said maximum circumference that represents the boundary with third nations.

2. SECTOR B. Between the Leeward Islands of the Netherlands Antilles (Aruba, Bonaire, Curacao) and the north coast of Venezuela.

2.1. From Point No.3, latitude 12° 21' 00" N and longitude 70° 25' 00" W, parallel 12° 21' 00" N to point No. 4, latitude 21° 21' 00" N and longitude 70° 09' 51" W.

2.2. From said point No.4, an arc of maximum circumference to point No. 5, latitude 12° 21' 54" N and longitude 70° 08' 25" W.

2.3. From said point No. 5, an arc or maximum circumference to point No. 6, latitude 12° 15' 46" N and longitude 69° 44' 21" W.

2.4. From said point No. 6, an arc of maximum circumference to point No. 7, latitude 11° 52' 45" N and longitude 69° 04' 45" W.

2.5. From said point No. 7, an arc of maximum circumference to point No. 8, latitude 11° 45' 30" N and longitude 68° 57' 15" W.

2.6. From said point No. 8, an arc of maximum circumference to point No.9, latitude 11° 44' 30" N and longitude 68° 49' 45" W.

2.7. From said point No. 9, an arc of maximum circumference to point No.10, latitude 11° 40' 00" N and longitude 68° 36' 00" W.

2.8. From said point No. 10, parallel 11° 40' 00" N to point No. 11, latitude 11° 40' 00" N and longitude 67° 59' 23" W.

3. SECTOR C. Between Bonaire and Venezuelan territory.

3.1. From point No. 11, latitude 11° 40' 00" N and longitude 67° 59' 23" W, the meridian 67° 59' 23" W to point No. 12, latitude 12° 27' 00" N and longitude 67° 59' 23" W.

3.2. From said point No. 12, an arc of maximum circumference to point No. 13, latitude 15° 14' 28" N and longitude 68° 51' 44" W, or that point on said maximum circumference that represents the boundary with third nations.

4. SECTOR D. Between the Islands of Aves, Saba and Saint Eustatius.

4.1. From point No. 15, latitude 16° 40' 50" N and longitude 63° 37' 50" W, an arc of maximum circumference to point No. 14, latitude 16° 44' 49" N and longitude 64° 01' 08" W, or that point on said maximum circumference that represents the boundary with third nations.

4.2. From point No. 15, an arc of maximum circumference to point No. 16, latitude 16° 40' 01" N and longitude 63° 35' 20" W, or that point on said maximum circumference that represents the boundary with third nations.

MARITIME BOUNDARY: U.S.-VENEZUELA

Article 1

The sole purpose of this Treaty is to establish, in accordance with international law, the maritime boundary between the [U.S.] and the Republic of Venezuela.

Article 2

The maritime boundary between the [U.S.] and Venezuela is determined by the geodetic lines connecting points 1-22, having the following coordinates:

POINTS	LATITUDE NORTH	LONGITUDE WEST
1	16° 44' 49"	64° 01' 08"
2	16° 43' 22"	64° 06' 31"
3	16° 43' 10"	64° 06' 59"
4	16° 42' 40"	64° 08' 06"
5	16° 41' 43"	64° 10' 07"
6	16° 35' 19"	64° 23' 39"
7	16° 23' 30"	64° 45' 54"
8	15° 39' 31"	65° 58' 41"
9	15° 30' 10"	66° 07' 09"
10	15° 14' 06"	66° 19' 57"
11	14° 55' 48"	66° 34' 30"
12	14° 56' 06"	66° 51' 40"
13	14° 58' 27"	67° 04' 19"
14	14° 58' 45"	67° 05' 17"
15	14° 58' 58"	67° 06' 11"
16	14° 59' 10"	67° 07' 00"
17	15° 02' 32"	67° 23' 40"
18	15° 05' 07"	67° 36' 23"
19	15° 10' 38"	68° 03' 46"

POINTS	LATITUDE NORTH	LONGITUDE WEST
20	15° 11' 06"	68° 09' 21"
21	15° 12' 33"	68° 27' 32"
22	15° 12' 51"	68° 28' 56"

and along an azimuth of 274.23 degrees true from point 22, in the event that the maritime boundary of the [U.S.] extends westward, until the tri-junction with a third State is reached. In no case shall this tri-junction point be further westward than latitude 15° 14' 28" N longitude 68° 51' 44" W.

Article 4

It is understood by the two Governments that south of the maritime boundary the [U.S.] shall not, and north of the maritime boundary [Venezuela] shall not, for any purpose, claim or exercise sovereign rights or jurisdiction over the waters or seabed and subsoil. The establishment of this maritime boundary does not affect or prejudice in any manner the positions of either Government with respect to the sovereign rights or jurisdiction of either State, the rules of international law concerning the exercise of jurisdiction over the waters or seabed and subsoil, or any other matter relating to the law of the sea.

ANALYSIS. The US-Venezuela maritime boundary begins in the east (point 1 on the [aforementioned] map) as a trijunction point among the Netherlands antilles, the United States, and Venezuela; point 1 is approximately 67 nm from the respective territories. From point 1 to point 8 (130.72 nm in length) the boundary extends in a southwesterly direction between St. Croix to the north and Aves Island to the south. From point 8 to point 11 (55.64 nm in length) the course of the line bends in a south-southwesterly direction. At point 11 the boundary turns in a west-northwest direction and continues for 112.34 nm to point 22. At point 12 the boundary reaches its maximum distance from the respective territories, measuring approximately 177.2 nm from Puerto Rico and Islas Los Roques.

MARITIME BOUNDARY: VENEZUELA-DOMINICAN REPUBLIC

Treaty on the Delimitation of Marine and Submarine Areas,
excerpts, 1979

Article 1

The lines of maritime delimitation established by this Treaty constitute the boundaries between the Dominican Republic and the Republic of Venezuela of the continental shelves, exclusive economic zones, and any other marine or submarine areas which have been or may be established by the Parties, in conformity with international law.

Article 2

The maritime delimitation between the Dominican Republic and Venezuela is determined by the geodetic lines that join the following points, identified by means of geographic coordinates.

Sector A

Point	Latitude (North)	Longitude (West)
1	15° 24' 48"	69° 34' 38"
2	15° 22' 45"	69° 41' 50"
3	15° 19' 04"	69° 56' 18"
4	15° 15' 50"	70° 08' 09"
5	15° 02' 08"	70° 52' 50"
6	14° 57' 52"	71° 24' 19"

and from point 6, between Alto Velo (Dominican Republic) and the Los Monjes Archipelago (Venezuela), a constant true course following azimuth 270° 68' or a course North 89° 32' to another point where the delimitation must be made with a Third State.

Article 4

It is understood by the two Governments that the Dominican Republic south of the said line and [Venezuela] north of it will neither claim nor exercise for any purpose sovereign rights or jurisdiction over the marine and submarine areas referred to in Article 1 of this Treaty.

MARITIME BOUNDARY: VENEZUELA-FRANCE(GUADELOUPE & MARTINIQUE)

Delineation Treaty, excerpts, 1980

The Government of the Republic of Venezuela and the Government of the French Republic, desirous of strengthening neighborly relations and friendship between the two countries, aware of the need to delineate the economic zones located off the coast of their territory, basing themselves on the rules and principles of international law applicable to the matter and taking into consideration the work of the United Nations Third Conference on the Law of the Sea... have agreed as follows:

Article 1

The maritime delineation line between [Venezuela] and the French Republic off the coast of Guadeloupe and Martinique is constituted by the meridian 62° 48' 60".

Article 3

The limit so defined constitutes the maritime boundary between the zones over which the Parties exercise or will exercise sovereign rights or their jurisdiction in accordance with international law.

MARITIME BOUNDARY: TRINIDAD & TOBAGO--VENEZUELA

Treaty on the Delimitation of Marine and Submarine Areas, 1991

Article 1

The maritime boundary between the Republic of Trinidad and Tobago and the Republic of Venezuela referred to in this Treaty is the maritime boundary with respect to the territorial seas, the Continental Shelves and the Exclusive Economic Zones and to any other marine and submarine areas which have been or might be established by the Contracting Parties in accordance with International Law.

Article 2

The delimitation lines with respect to the marine and submarine areas in the Caribbean, the Gulf of Paria, the Serpent's Mouth and the Atlantic Ocean are geodesics connecting the following geographical coordinates:

POINT	LATITUDE N	LONGITUDE W
1	11° 10' 30"	61° 43' 46"
2	10° 54' 40"	61° 43' 46"
3	10° 54' 15"	61° 43' 52"
4	10° 48' 41"	61° 45' 47"
5	10° 47' 38"	61° 46' 17"
6	10° 42' 52"	61° 48' 10"
7	10° 35' 20"	61° 48' 10"
8	10° 35' 19"	61° 51' 45"
9	10° 02' 46"	62° 04' 59"
10	10° 00' 29"	61° 58' 25"
11	09° 59' 12"	61° 51' 18"
12	09° 59' 12"	61° 37' 50"
13	09° 58' 12"	61° 30' 00"
14	09° 52' 33"	61° 13' 24"
15	09° 50' 55"	60° 53' 27"

POINT	LATITUDE N	LONGITUDE W
16	09° 49' 55"	60° 39' 51"
17	09° 53' 26"	60° 16' 02"
18	09° 57' 17"	59° 59' 16"
19	09° 58' 11"	59° 55' 21"
20	10° 09' 59"	58° 49' 12"
21	10° 16' 01"	58° 49' 12"

and from point 1 northerly in constant and true direction following the meridian 61° 43' 46" West up to the point at which it meets the jurisdiction of a third State, and from point 21 along an azimuth of 067 degrees up to the outer limit of the Exclusive Economic Zone and thereafter towards point 22, with the following geographic coordinates: Latitude 11° 24' 00" N and Longitude 56° 06' 30" W which is situated approximately on the outer edge of the continental margin which delimits the national jurisdiction of the Republic of Trinidad and Tobago and of the Republic of Venezuela and the International Seabed Area which is the common heritage of mankind.

....